

United States District Court  
District of Massachusetts

COPY

Civil Action

Motion to Proceed  
Upon civil Action

NO 03-12648-WGY

Plaintiff

Ned J Langone

Defendant

1) Kathrine Sabaitis  
2) Plymouth County as  
Plymouth Probate Court

Now Comes

The Plaintiff Ned J Langone request to this Court; that based upon the Facts within the Complaint of this Civil action. Having showing Confussion by the given Facts within the Complaint Filed December 23, 2003 to this Court, Confussion of the Facts within the Complaint causing this Court to execute a dismissal order toward the means of Complaint; the Plaintiff prays to this Court, to allow the Plaintiff of this Civil action to clarify the means of Complaint; by way of the context within this Motion. To show cause to this Court to continue process of this Civil action of the Plaintiff toward the defendants of this Civil action.

Very truly yours

1/23/04 Ned J Langone  
PRO-SE

IN the Matter of the 208.18 restraining order that was issued on January 6th 1993 upon the Plaintiff of this civil action by the defendant of this civil action. The 208.18 order; protective order; was wrongly put upon the Plaintiff of this civil action. The issue of the 208.18 order was placed upon the Plaintiff of this civil action outside of the divorce proceeding. Within a hidden means, this order was not part of the divorce matter on January 6th 1993 Hearing. That was heard by the defendant of this civil action. Not, was there any documentation of this order held within the court papers within the matter of this divorce on the history involving this 208.18. Order. The 208.18 held it's own separate means and purpose outside of the divorce matter. This then making the 208.18 order unrelated to the divorce; between the husband and wife. IT has to be connected to the divorce in some way to be effective. IT WASN'T. The only connected nature it had with the divorce matter is it was made on the date of a certain divorce concern; between the husband and wife. That being the issue of a different matter. NOT this 208.18, this 208.18 was not aware to me, I was aware of the main issues of this given hearing. I was not present at this hearing either. The defendant of this civil action knew this to be, that the main issues to be heard on this date's hearing were agreed upon both of the parties prior to said hearing. This hearing was to placed these agreed concerns into effect by her placement of order by her, to be so, AT this hearing. She, the defendant took this 208.18 order. Again, without my knowledge, placed it within order of this hearings other issues, this again being the hearing of January 6th 1993, This is why, of all of the above, I filed this civil action complaint. UPON

The defendant, Cathrine Sabaitis, That I, The Plaintiff  
~~XIV~~ amendment - Due process rights within a judicial  
 proceeding have been violated. That the purpose  
 of a 208.18, Being a instrument of restraint upon  
 personal liberties, This then becoming a violation  
 on my ~~IV~~ amendment rights. By way of the place-  
 ment of the 208.18 order upon me. By the way it  
 was produced, Plaintiff not being aware of it's making.  
 And it being hidden outside of the divorce matter,  
 with a different docket number other than the issues  
 of concern; during the concern of the hearing of Jan  
 6th 1993, The defendant misused her judgement outside  
 of her performance and obligation. The plaintiff rights within  
 a judicial proceeding being not afforded to him. By way of  
 due process. A US Constitutional privilege and right; during  
 such proceedings. Also, this 208.18 protective order is only  
 effective; when applied rightly. Lawfully. Effective only during  
 the course of a pending divorce. It becomes within vacate  
 status when divorce becomes finale. On that given judge-  
 ment date. It also is directed on only one of the spouses  
 of a pending divorce, only. By statute of a 208.18, within  
 Massachusetts. Both of the parties had one upon the  
 other. Ordered by the defendant Cathrine Sabaitis,  
 this is outside of the law. Again, it only applies to one  
 of the spouses having such a order upon them. Again, such  
 a order of a 208.18 lasting only during a pending divorce.  
 My 208.18 exceeded it's duration period. Mine. The  
 plaintiff of this civil action, Lasting nine years.  
 This being; because the defendant took it upon  
 herself. Making the 208.18 as a permanent order.  
 By statute of such order, This was not permitted.  
 There are other restraining orders that could have applied  
 to be permanent. Not a 208.18. During the course

OF the Plaintiff having this 208.18 for the nine years; with fullscale effectiveness towards it upon me. IT was used upon me within two separate criminal proceedings. A number of years ago IT was brought up within a bail reduction hearing. This being; caused the Plaintiff to become incarcerated due to the orders standings as a permanent order, within a domestic matter. A 209A matter. This 208.18 permanent order showing me as a high risk of a possible chance of causing harm to the victim of the 209A offence. So the ADA in this case showed cause to the Judge to cause said Judge to place very high bail upon me. IF this 208.18 was not upon me, I would have been released on a personal. AS the victim of this new case had moved out of state, one hundred miles away, within New Hampshire, the Plaintiff of this civil action residing in the Quincy Massachusetts area. So, Again, IT caused me my freedom. Another case, Being a arrest matter. This 208.18 order being used as a violation charge. AS I believe is stated within this civil action Complaint. Both incidents I believe are stated within this Complaint. IT'S been used against me also on another domestic issue I had with a sibling a couple of years ago. Directed upon my character. On that sibling attempts to obtain a permanent 209A order against me. I now pray to this court. Upon submitting of this motion, IT'S clarification of Complaint; due to IT'S confusion

TO THIS COURT. U.S. DISTRICT COURT, DISTRICT OF MASSACHUSETTS, THAT IT HAD SHOWN DURING THIS COMPLAINTS PRIMARY SCREENING PERIOD. FILED ON DECEMBER 23, 2003. BASED UPON THIS MOTION CLARIFICATION TO FIND CAUSE TO GO FORWARD WITH THIS CIVIL ACTION COMPLAINT TOWARD NAMED DEFENDANTS OF SAID COMPLAINT. PLAINTIFF PRAYS TO THIS COURT; BASED UPON THIS MOTION NOW PRODUCING LEGAL MERIT; THAT DEFENDANTS XI<sup>th</sup> AMENDMENTS PROTECTION BECOMES INVALID WITHIN JUDICIAL IMMUNITY; BASED UPON THE HARMS DONE UPON PLAINTIFFS CIVIL AND CONSTITUTIONAL RIGHTS AND PRIVILEGES THAT ARE SO GUARANTEED TO HIM AND TO HIS PEERS, I PLEAD TO THIS COURT UPON THIS.

Sincerely yours  
1/26/04 Ned J. Langone

RECEIVED  
U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
JAN 30 2004  
P. 14

No Comes

IN THE year 2002, I Submitted TO Probate Court; a Petition TO Vacate Said 208.18 order, AT THIS TIME OF Submitting Petition I did not have the knowledge that I have now on the Standings that said order existed. My argument for the order to become vacated, were that the order was being used wrongly against me as a purpose of other means, on this hearing date to request order to become vacated, the Court showed no argument towards my pursuit to have it vacated, IT was so granted, Being without any legal challenge by the Court. AS IT showed TO THE Court, that order presently was invalid, Based upon it's duration period ending years ago. AS of it's true invalidation being 1993, when my divorce becoming finale, that's when the 208.18 becomes finale. They too, knew it should of not been lived so long; as it had. A 208.18 is very similar to a temporary type restraining order. IN a sense, ONCE a divorce become's finale, IF THE spouse that was granted a 208.18 within a divorce proceeding feels that she or he needs continued restraining order protection, that party MUST seek such order by means of a upgraded type of order, such as a 208.34B order through Probate, or a 209A, through a criminal court means, 1/26/04 Redf Langore